

## Jacobson & Colfin, P.C.

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February 28, 2007

03-02-2007

U.S. Patent & TMO/TM Mail Rcpt Dt. #72

Kathleen M. Vanston, Esq.  
Examining Attorney  
Law Office 103  
Commissioner for Trademarks  
PO Box 1451  
Alexandria, VA 22313-1451

\*\*Please place on Upper Right Corner\*\*  
\*\*of Response to Office Action ONLY.\*\*

Examining Attorney: VANSTON, KATHLEEN M.  
Serial Number: 76/666940



Re: TROPICAL FANSTASY TF EXTREME ENERGY DRINK  
Serial No. 76/666940

Dear Ms. Vanston:

We respectfully request that you reconsider your refusal for the above mentioned mark as articulated in your action letter dated February 23, 2007.

### IDENTIFICATION OF GOODS

Applicant adopts the following identification of goods: energy drinks, soft drinks, fruit juice cocktails, fruit juices, vegetable juice cocktails, vegetable juices and bottled water

### STANDARD CHARACTER STATEMENTS

The mark consists of standard characters without claim to any particular font, style, size or color.

### DISCLAIMER

No claim is made to the exclusive right to use TROPICAL and ENERGY DRINK apart from the mark as shown.

1208 West Broadway, Hewlett, LI, 11557 • 516-295-7689

Ecuabeverage Statement of Material Facts – Exhibit 19

**Jacobson & Colfin, P.C.**

Attorneys at Law

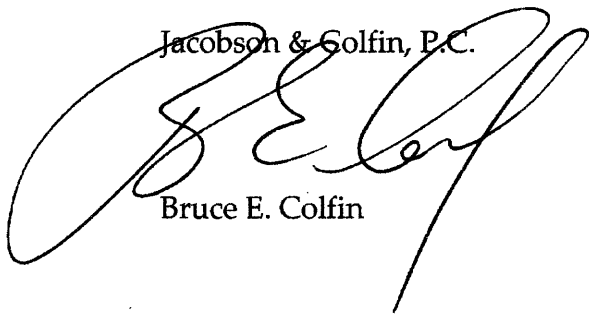
Vanston, Kathleen  
Law Office 103  
Serial No. 76/666940

Please contact me if you require any additional information. Thank you for your time and consideration.

Sincerely Yours,

Jacobson & Colfin, P.C.

Bruce E. Colfin

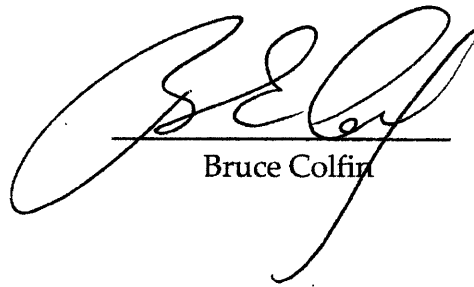


cc: Mr. Eric Miller  
Brooklyn Bottling of Milton, NY, Inc.

The undersigned hereby certifies that on February 28, 2007, I served a copy of the foregoing Response to Trademark Action letter by depositing it with the United States Postal Service by first class mail, postage prepaid under 37 C.F.R. 1.10 on the date indicated above and it is addressed to Kathleen M. Vanston, Esq., Examining Attorney, Law Office 103, Commissioner for Trademarks, PO Box 1451, Alexandria, VA 22313-1451.

Date: February 28, 2007

Bruce Colfin



tm/cli/tf.rpy